

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

**LEANN J. NESSELRODTE,
on behalf of Herself and all others
similarly situated,**

Plaintiff,

v.

**CIVIL ACTION NO. 3:11-CV-92
(GROH)**

**UNDERGROUND CASINO AND
LOUNGE, LLC,**

Defendant.

ORDER DENYING PARTIES' JOINT MOTION FOR EXTENSION OF DEADLINES

On this day, the above-styled matter came before the Court for consideration of the parties' Joint Motion for Extension of Time for Current Deadlines [Doc. 76], filed on October 8, 2012. In support of their motion, the parties assert that "[c]ounsel for the above-captioned parties have been engaged in good faith settlement discussions for the past 14 days," and "[t]he parties wish to concentrate their efforts on the settlement discussions rather [than] motion practice and meeting other deadlines, wish to avoid the Parties incurring additional attorney fees and costs, and wish to avoid complicating settlement discussions with fees and costs that, under the current deadlines, will continue to increase substantially each day" The parties accordingly seek the following: (1) the Defendant requests an extension until October 19, 2012, to comply with the Court's Order Granting Plaintiff's Motion to Compel and for Attorney's Fees and Costs [Doc. 74]; (2) the Defendant requests an extension until October 19, 2012, to comply with and/or file any objections to

the Court's Order Granting Plaintiff's Motion to Facilitate Identification and Notification of Similarly Situated Employees [Doc. 73]; and (3) the Defendant requests an extension until October 19, 2012, to respond to the Plaintiff's Motion to Amend/Correct Complaint [Doc. 71].

This Court has a strong interest in keeping scheduled dates certain. Changes in dates and/or deadlines are disfavored. Therefore, any request, whether by application or stipulation, to continue the date and/or deadline of any matter before this Court must be supported by a sufficient basis that demonstrates good cause why the change in date is *essential*. This Court does not consider the desire for prolonged settlement negotiations to constitute such a basis. Therefore, the Court does not find good cause to grant the parties' Agreed Motion for Extension of Time for Current Deadlines [**Doc. 76**], and the same is accordingly **DENIED**.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record and/or *pro se* parties.

DATED: October 9, 2012.


GINA M. GROH
UNITED STATES DISTRICT JUDGE